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any real or permanent solution to a confessedly difficult problem. We wish to urge every effort to avoid humiliating race-discriminatory laws, which will only aggravate the situation.

3. The victory of the growing liberal movement in Japan, which has been battling valiantly against a long dominant arbitrary military bureaucracy, is essential, if Japan is to enter into right relations with the rest of the world; yet that victory is endangered by unjust anti-Japanese agitation and legislation in America.

4. Americans should keep clearly in mind certain important facts. The total population of California, for instance, has increased in ten years by 1,048,987, while the Japanese population has increased about 38,500, chiefly by births. This is 3.6 per cent of the whole increase. The entire Japanese population in California (approximately 80,000) is but 2.3 per cent of the whole population. Out of 11,389,894 acres under cultivation, Japanese own 74,769 acres, which is six-tenths of one per cent (.006). They also cultivate on lease or crop-contract 383,287 acres, which is 3.3 per cent. As for Japanese births in California, in 1917 they numbered 4,108 to 47,313 whites, or 8.7 per cent. Such facts do not warrant the assertion of agitators.

III. To the Japanese this commission would state:

1. The great body of citizens throughout the United States, particularly those in the churches for whom we are entitled to speak, stands for justice and fair play in the relations of the two countries and in the treatment of Japanese in America.

2. Expressions in Japan of confidence in America's sense of honor, justice, and humanity are highly appreciated here. We confidently believe that a large body in America will exert itself to take such steps for the fundamental solution of the American-Japanese problem as will ultimately justify that confidence.

3. At the same time it should be clearly understood in Japan as well as in America that the question is by no means so simple or so easy of solution as extremists of either side usually represent. The misunderstandings, the misrepresentations, and the wrong-doing are not all on one side. To set matters right, not only a new treaty but proper legislation is needed, both in Tokyo and in Washington.

4. Japanese also need to keep certain facts clearly in mind. Because of their presence in large numbers in California, Californians are confronted with real difficulties that call for real solution. Japanese have settled in several rather restricted, fertile, agricultural areas, tending to form "colonies" relatively impervious to Americanization and where the white population constitutes a minority. For this "colonization" the Californians are, indeed, in part responsible, since the strong opposition of a different social group has tended to prevent their wider distribution. It nevertheless constitutes a serious factor in the situation. Some Japanese, moreover, have evaded the spirit and purpose of our laws, especially in the matter of immigrant smuggling. And there is also the delicate patriotic question of the double allegiance of American-born Japanese children. These facts are widely felt to create an ominous situation, requiring thoroughgoing legislative remedies. Japanese should be reminded, moreover, that a very considerable group in California earnestly desires to have these problems solved in ways that are at once honorable for Japan and safe for California.

IV. In conclusion, we urge all men of good will, both in America and Japan, to join in expecting the best and not the worst and in finding a real solution. For this, time and patience, open-mindedness and sincerity, with friendly hearts and wise heads, are absolutely necessary. Legislation in Tokyo and in Washington, after mutual conference and agreement, should be enacted to rectify the difficulties of double allegiance, of local congestion, and of immigration, of principles that are just and honorable for all.

From California to Texas the anti-Japanese campaign now moves, and plans for the introduction of restrictive legislation at the State capital at Austin at the coming session of the legislature are maturing. In Japan, likewise, the friction is increasing, and student bodies have been debating the issue of war with the United States.

HAITI, THE UNITED STATES, AND JUSTICE

Inquiry as to the methods used by officials of the United States and marines of the navy serving in Haiti has been ordered by Secretary Daniels, of the Navy, in the following document summoning a court to assemble:

To Rear Admiral Henry T. Mayo, U. S. Navy.

Subject: Court of inquiry to inquire into the alleged indiscriminate killing of Haitians and unjustifiable acts by members of the U. S. naval service, including those detailed to duty with the gendarmerie d'Haiti against the persons and property of Haitians since the American occupation, July 28, 1915.

1. A court of inquiry, consisting of yourself as president, and of Rear Admiral James H. Oliver, U. S. Navy, and Major General W. C. Neville, U. S. Marine Corps, as additional members, and of Major Jesse F. Dyer, U. S. Marine Corps, as judge advocate, is hereby ordered to convene at the Navy Department, Washington, D. C., at 10 o'clock a. m. Friday, October 22, 1920, or as soon thereafter as practicable, and thereafter to meet at such places as may be deemed necessary, to inquire into the question of the conduct of the personnel of the U. S. naval service in Haiti since the navy were landed in that country, on July 28, 1915, with a view to determining whether any unjustifiable homicides have been committed by any of such personnel; whether any other unjustifiable acts of oppression or of violence have been perpetrated against any of the citizens of Haiti or any unjustifiable damage or destruction of their property has occurred. In case the court finds that any of the above-mentioned unjustifiable acts have been committed by any of such personnel, the court will so report in its findings and will further report as to the degree of responsibility attached to each and every person immediately or mediately responsible for such unjustifiable acts, and if further proceedings should be had in the matter. If further proceedings are recommended the court will comply with the provisions of section 523, Naval Courts and Boards, 1917.

2. The court will include in its findings its conclusions as to whether "practically indiscriminate killing of natives has been going on for some time," as alleged in the letter from Brigadier General George Barnett, U. S. Marine Corps, to Colonel John H. Russell, U. S. Marine Corps.

3. The attention of the court is particularly invited to section 511, Naval Courts and Boards, 1917.

(Signed)

JOSEPHUS DANIELS,
Secretary of the Navy.

Attacks on the policy of the United States in Haiti and charges against the officials executing that policy had been published in *The Nation* prior to this action by the navy's head. Action was forced by publicity given to a report by Brigadier General George Barnett, formerly commandant of the Marine Corps, the method by which report was given to the press not being disclosed. In this document he cited charges of "indiscriminate killing of natives," made by counsel in a specific case that he had investigated in Haiti, which charges he seemed to accept as true. General Barnett also alluded to a report of General John H. Russell on insular conditions—a report that had been sent to the Washington headquarters of the Marine Corps, but which was not on file then.

Action also was rendered imperative by comments upon the Haitian situation by clergymen of churches on the island returning to the United States and stating their convictions; and the necessity of fullest investigation was seen when the President of the Republic, in November, ventured to tell his version of the political and economic situation in the island.

One of the essential documents in the case, so far as it sheds light on details of administration of the Marine Corps and its relation to the Navy Department, is Colonel Russell's report, above referred to.

GENERAL RUSSELL'S REPORT

The text of this report by General Russell (for a history of it, see Secretary Daniels' statement) is as follows:

HEADQUARTERS FIRST PROVISIONAL BRIGADE,

U. S. MARINE CORPS, PORT AU PRINCE,

REPUBLIC OF HAITI, *March 13, 1920.*

Confidential.

From the Brigade Commander.

To the Major General Commandant.

Subject: Report of investigation of certain irregularities alleged to have been committed by officers and enlisted men in the Republic of Haiti.

1. From a careful reading and study of the attached testimony, statements, and other papers, I am reluctantly forced to the opinion that Major Clarke H. Wells, former gendarmerie department commander in northern Haiti, is responsible for the conditions in northern Haiti as found by Brigadier General Catlin on his inspection of the Hinche-Maissade districts in March, 1919, if such conditions were not actually due to his orders and instructions.

2. I am further of the opinion that these gendarmerie officers under Major Wells' command who were enlisted men in the Marine Corps, on duty in said districts, were acting in accordance with what they believed to be the policy of their department commander.

3. It is difficult to believe that Captain Doxey was not fully aware of Major Wells' policy and of the existing orders and conditions in the Hinche-Maissade district.

4. There is a doubt, however, in my mind, as to whether or not the evidence as here brought out is sufficient to warrant a trial before a general court-martial on charges of such a serious nature. It is extremely doubtful if further evidence can be procured.

5. The event referred to herein occurred over a year ago. Many changes have taken place in the personnel of the gendarmerie since that time. Nearly all the interested parties have either returned to the United States or been discharged from the service. Mr. Lavole (former captain G. D. H. and private, U. S. M. C.) has left the service and Haiti and his whereabouts is unknown.

6. It is therefore recommended that these papers be referred to the office of the Judge Advocate General, U. S. Navy, where the sworn statements and other evidence may be carefully sifted and weighed with a view of determining whether or not it is sufficient to warrant a trial.

7. If the decision is in the affirmative, it is requested that specimen charges and specifications be prepared by the Judge Advocate General's Office, and that a competent officer be assigned to temporary duty with this brigade to act as judge advocate of the court. At present there is no officer attached to the brigade who is considered to have sufficient legal knowledge to conduct a trial, to the best interest of the government, where skilled opposing counsel is present.

8. The return to Haiti of all witnesses and interested parties would, of course, be necessary.

JOHN H. RUSSELL.

As soon as the Navy Department faced the charges of General Barnett it acted vigorously, recalling him from San Francisco to Washington to testify and making provision for a court of inquiry, which was organized promptly and began its work by massing of the "documents in the case" on file in Washington, preparatory to examination of such witnesses as were in the country. Later it will proceed to Haiti.

Upon his arrival in Washington from California, General Barnett issued the following statement:

"I have consistently refrained from giving out any information and from granting any interviews on the Haitian situation. Any action taken by me as the commandant of the corps was taken considering only the good of the corps and the proper performance of duty by the corps to which I

am so proud to belong. My official letter of September 27, 1919, covered the case fully, but at the request of the Secretary of the Navy I should like to make it clear that the statement in my letter of October 2, 1919, as follows, namely: 'A statement by counsel showed me that practically indiscriminate killing of natives,' etc., was meant by me to express 'without due process of law' and not, as seems now to be misinterpreted, as 'promiscuous'; and I further meant, of course, that such 'statement of counsel' would have weight in my mind only when proved, and in order to have him prove or disprove the truth of these statements I wrote the letter of October 2, 1919, to the brigade commander. I am a soldier and not an author. I feel certain that the brigade commander to whom the letter was written fully understood my meaning."

Testifying before the special court of inquiry, October 27, General Barnett corrected a previous statement that a total of 3,250 natives had been killed in action or otherwise during the five years of occupation. He had learned from the historical division of the corps that the total was 2,250. He said that the statement of counsel and the testimony in the court-martial cases of two privates of the Marine Corps had so shocked him that he had ordered further investigation; and he said, also, that by "indiscriminate killing" he had not meant "promiscuous killing," but "rather executions without judgment."

SECRETARY DANIELS' STATEMENT

Secretary Daniels' comment on the situation is appended.

"This report of General Barnett, made public the day after I received it, was the first intimation that ever came to me that anybody had ever said there had been 'indiscriminate killings' by marines or the gendarmerie in Haiti. That expression was contained in a letter marked 'Confidential,' written by General Barnett to General Russell. General Barnett reported to me on January 12, 1920, that apparently certain marines in Haiti had been guilty of unlawful acts in the latter part of September, 1919. On the day he brought this reprehensible conduct to my attention he recommended an investigation. We were both indignant that any few men wearing the honorable uniform of a marine should be guilty of the offenses General Barnett called to my attention. I immediately personally directed immediate and full investigation, and, as General Barnett says, in my own handwriting wrote this endorsement on his recommendation:

"The action taken is approved and the department desires that this investigation be expedited and proper steps be taken in accordance with the views expressed above.

'JOSEPHUS DANIELS.'

"In his report, published last week, General Barnett says that late in September, 1919, the cases of Johnson and McQuilkin, for 'unlawful executions,' came to his attention and on October 2, 1919, he says he wrote of these unlawful acts to General Russell and in that letter said: 'The court-martial of one private for the killing of a native brought out a statement by his counsel which showed me that practically indiscriminate killing of natives had gone on for some time.' I never knew of the existence of that letter or heard of any 'indiscriminate killings' until I read General Barnett's report this week, and I am sure he never meant to convey what these words have been interpreted to mean. When he called my attention to several cases I approved his suggestion that the matter be gone into thoroughly and that all guilty parties be punished. He ordered the investigation. I supposed, of course, that the order for investigation and the trial of the guilty parties had proceeded in accordance with my direction until August, when inquiry was made as to the cases. No report could be found in the Marine Corps headquarters, and a cablegram was sent to General Russell in Haiti to ask about the result of the investigation of those cases. He wired that the report had been mailed in March. When it could not be found I directed General Lejeune and General Butler to proceed to Haiti to make an investiga-

tion. They did so and brought back with them a copy of General Russell's report.

"That report should have reached marine headquarters in April and action should have taken place at once, but General Barnett never received it and I obtained the copy only when General Lejeune and General Butler brought it with them from Haiti this month."

THE FUTURE

H. J. Seligman, whose writings on the situation in Haiti first directed the attention of some Liberals and Radicals to acts which he believed to be indefensible, has said to a *New York Evening Post* interviewer that he has no desire to see the marines withdrawn or the United States give over its trusteeship. He only wants decent treatment of the natives and actions by the United States consonant with its high-sounding professions of morality.

Rear-Admiral Knapp, who has recently investigated conditions in Haiti, in a statement made public October 20, says that "all the good accomplished in Haiti as a result of American intervention will be lost if the United States withdraws its military forces for a great many years to come." He says that "the actions of some individual Americans may in some cases have been unworthy," but he also declares that "to hold the greater number of able and conscientious American officials responsible for the actions of a few would be entirely unfair."

MEXICO AND THE UNITED STATES

During the provisional presidency of De la Huerta, and especially since the success of General Obregon in the presidential election, negotiations between the United States and Mexico looking to a settlement of outstanding issues have been under way, and with a spirit of good will on both sides. The internal stability of Mexico has been such as to encourage the Department of State in Washington to proceed with alacrity toward a solution that would justify recognition of the new Mexican Government, and the messengers sent from Mexico to Washington to arrange details have shown tact and a willingness to admit the American point of view.

On October 29 Secretary Colby issued a statement, printed herewith, which pointed clearly to impending action by the United States that would almost certainly be followed by recognition of the incoming Obregon administration by Europe as well as by the United States. He explained that this course was predicated on pledges given by the De Huerta Government, through a special commissioner, Mr. R. V. Pesqueira, whose statement to the Department of State also is reprinted.

Our readers will be interested to note the detail of this correspondence, which shows that the two republics are planning to leave to arbitral proceedings solution of matters not capable of settlement by diplomacy.

MR. PESQUEIRA'S PLEDGES

"DEAR MR. SECRETARY:

"While the informal and frank conversations I have had with Mr. Norman Davis, the under-Secretary of State, have resulted in a cordial and thorough understanding, I beg the liberty of putting on paper the exact position and definite desires of my government.

"As you know, and as the United States must see, it is a new Mexico that faces the world in pride and confidence. From border to border there is peace. Not a single rebel

remains in arms against the federal government, and a whole nation thinks in terms of law and order and reconstruction. On September 5 our citizens cast their votes in due accord with democratic procedure, and Alvaro Obregon, the great soldier-statesman, chosen to be President, is supported not only by a coalition of parties, but by a union of faith and patriotism.

"What you may not know, however, is the new spirit that animates my country. It is not only the case that our men and women have come to a deep and lasting realization what Mexico owes to the idealism of President Wilson, so nobly and patiently exhibited in the unhappy years during which our oppressed millions fought against the injustices which weighed them down for centuries; it is equally true that they have thrilled to the world vision of the President his tremendous ideal of universal fraternity.

"Mexico today is not merely planning a future of happiness and justice for all within her borders. Out of our new strength we are willing and eager to play our proper part in the creation of a new and better order that will lift ancient burdens from the back of humanity.

"A first task, of course, is firm and enduring friendship between Mexico and the United States. Not only are we neighbors, but every other consideration points to the wisdom of an understanding that goes beyond mere treaties and sinks its roots into the heart of each nation. We have the same political institutions, the same aspirations, the same ideals, the same goals.

"Such a friendship is fast forming. The governors of Texas, New Mexico, and Arizona, your border States, have already stretched out the hand of friendship, voluntarily telegraphing the President as to their faith in the stability, honesty, and sincerity of my government.

"Our business is to set this friendship on foundations so firm that it cannot be shaken by the attack of reaction. Permit me, therefore, to deal in detail with certain slanders that have not only prejudiced the people of the United States, but which have aroused much bitterness in my own country.

"Mexico cannot but feel deeply aggrieved over the charge that she intends or has ever intended to disavow her obligations. President de la Huerta as well as President-elect Obregon have on repeated occasions publicly declared that Mexico will respect all rightful claims, duly proved as such, submitting herself to the recognized principles of international law.

"The Mexican Government is prepared to establish a joint arbitration commission to pass upon and adjudicate the claims presented by foreigners on account of damages occasioned during the revolution. Any claim that cannot be adjusted by means of direct negotiations between the claimant and the Mexican Government will be submitted to the consideration of this commission, whose decisions will be deemed final and binding.

"Mexico has likewise held that, in order to place international relations on a solid foundation, the existence of a permanent machinery of arbitration is essential for the purpose of deciding any difference. As regards the United States specifically, Mexico has already expressed her intention in Article XXI of the Treaty of Guadalupe Hidalgo and is prepared to enlarge and strengthen this machinery.

"Our plan is to establish a national program based on order and justice. It is our firm belief that the people of North America are just as faithful to their own high ideals. Hence nothing could better shield the dignity of both republics, as nothing could be more efficacious for the continuance of peaceful relations, than the operation of a commission of this nature, organized in accordance with recognized international practices.

"This policy should be made permanent, and the Mexican Government desires to co-operate so far as may be needful toward this end.

"Another cause of deep national resentment for the Mexican Government is the oft-repeated assertion that our laws are of a retroactive and confiscatory nature, and that our national program is based on a policy of confiscation. This is entirely groundless. Not one square yard of land has been confiscated in Mexico, not a single legitimate right of property has been annulled. Nor do we intend to deviate from